REGISTRATION OF DEATHS IN ENGLAND AND WALES

Thank you for your letter of 18 June 2014 to the Prime Minister, which you sent together with co-signatories representing several civil organisations with an interest in registration of deaths. I understand you believe that a number of research projects could benefit if the law was changed to allow deaths reported to coroners to be recorded on the national register of deaths before the cause of death has been established. The Prime Minister’s office has asked me to reply as the Minister responsible for coroner law and policy.

Since you wrote to the Prime Minister, you may have seen a written Parliamentary answer on this subject from Karen Bradley MP, Home Office Minister for Modern Slavery and Organised Crime, to Dr Julian Huppert MP. This can be found in Hansard, 2 July 2014, column 654W.

Dr Huppert asked the Home Secretary to “bring forward legislative changes to ensure deaths are registered within five to ten days of the death occurring without it being necessary for the cause of death to be established.”

Karen Bradley replied that “registrars of deaths are reliant on being informed by a doctor or coroner that a death has occurred. The certification processes currently require a cause of death to be given. Any changes would require doctors and coroners to change the way they certify deaths in advance of the death registration. Neither the Department of Health, for doctors, nor the Ministry of Justice, for coroners, have any plans to change the death certification process to certify fact of death in advance of cause of death.”

From the coroner service perspective, as you know, important reforms came into force last year. The Chief Coroner has just published his first Annual Report to the Lord Chancellor, and I know you will wish to see it. It is available via this link: https://www.gov.uk/government/publications/chief-coroners-annual-report-2013-to-
2014. I intend to continue working with the Chief Coroner to make sure that coroners’ best practice is adopted across the country, and, most importantly, that bereaved families take their rightful place at the heart of the coroner investigation. Currently, a coroner who is investigating a death will provide a certificate of the fact of death to the next of kin or the deceased’s personal representative. Although the coroner’s interim certificate cannot be used to register the death, it is an official document and it should be acceptable to organisations as proof of death. Where a cause of death is known, it is included in the coroner’s certificate.

On the subject of potential benefits for research programmes, you may have to hand a letter dated 5 July 2013 from Earl Howe, the Parliamentary Under Secretary of State for Quality at the Department of Health, which went into the issues in some detail. Earl Howe took the view that a change in the law to allow fact of death registration would introduce some problems for the Office for National Statistics as well as some potential benefits, and would probably not provide a complete solution. He concluded that before considering changes to the law all government departments would like to assess the impact of the Coroners and Justice Act 2009. The bulk of the coroner reforms were implemented in July 2013 and I can confirm that we plan to review their impact early next year when they will have been in place for 18 months.

Yours sincerely,

[Signature]

SIMON HUGHES